

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

YASIR MEHMOOD,

Petitioner,

v.

TRINITY SERVICES GROUP, INC.,
NSDC, et al.,

Respondents.

1:15-cv-01468-MJS (HC)

ORDER TRANSFERRING CASE TO
THE DISTRICT OF NEVADA

Petitioner, a federal detainee proceeding *pro se*, has filed a petition for writ of habeas corpus under 28 U.S.C. § 2241, together with a request to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

On September 28, 2015, Petitioner, who is currently detained at the Nevada Southern Detention Center in Pahrump, Nevada, filed a Petition for Writ of Habeas Corpus in the United States District Court for the Eastern District of California. However, Nevada Southern Detention Center is located in Nevada, and within the jurisdiction of the United States District Court, District of Nevada.

A challenge to the execution of a federal sentence is properly brought in a petition for a writ of habeas corpus under 28 U.S.C. § 2241. See United States v. Giddings, 740 F.2d 770, 772 (9th Cir. 1984). It is preferably brought in the district of confinement. See

1 Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989) (noting that even if district court
2 has personal jurisdiction over custodian, preferred forum is district where petitioner is
3 confined); see also Rumsfeld v. Padilla, 542 U.S. 426, 159 L. Ed. 2d 513, 124 S. Ct.
4 2711, 2722 (2004) ("[F]or core habeas petitions challenging present physical
5 confinement, jurisdiction lies in only one district: the district of confinement."). In the
6 interests of justice, a federal court may transfer a case filed in the wrong district to the
7 correct district. See 28 U.S.C. § 1406(a).

8 Petitioner is not detained at a facility within this Court's jurisdiction. In the interests
9 of justice, the Court HEREBY ORDERS the instant action be transferred to the United
10 States District Court, District of Nevada.

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12 IT IS SO ORDERED.

13 Dated: September 30, 2015

14 /s/ Michael J. Seng
15 UNITED STATES MAGISTRATE JUDGE
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